

Chapter 15.36

APARTMENT HOUSE TENANT APPLICATION FEES

Sections:

15.36.010 Purpose.

15.36.020 Tenant application fee defined.

15.36.030 Notice of acceptance criteria.

15.36.040 Application fees for persons receiving government assistance.

15.36.050 Maximum payment for tenant application fee.

15.36.060 Charging of application fees.

15.36.070 Penalty for violation.

15.36.010 Purpose.

The city finds that it is necessary and proper that the city regulate apartment tenant application fees in order to provide for the safety, preserve the health, promote the prosperity, and improve the morals, peace, good order, comfort and convenience of the city and its inhabitants.

15.36.020 Tenant application fee defined.

For purposes of this chapter, “tenant application fee” means a fee charged to a prospective tenant by any owner, operator or manager of any residential rental unit within the city in connection with or as a condition of processing, handling or considering an application for tenancy at such premises. “Tenant application fee” shall not include refundable cleaning deposits, refundable security deposits, or other deposits or fees required as a condition of entering into a rental or lease agreement.

15.36.030 Notice of acceptance criteria.

Prior to application, an apartment owner, operator, or manager shall post or provide to prospective tenants written notice of the minimum criteria required for acceptance of an applicant.

15.36.040 Application fees for persons receiving government assistance.

Apartment owners, operators, and managers shall inform prospective tenants in writing that they may provide evidence of eligibility for any of the following government programs: emergency work program, home energy assistance, temporary aid to needy families, supplemental security income, medical assistance, food assistance, refugee assistance program, general assistance, or income at or below one hundred thirty percent of federal poverty guidelines. Upon proof of qualification, tenants shall not be charged application fees.

15.36.050 Maximum payment for tenant application fee.

Apartment owners, operators and managers shall not charge an application fee in excess of twenty-five dollars per applicant.

15.36.060 Charging of application fees.

A. Apartment owners, operators, and managers may charge a tenant application fee to prospective tenants of residential properties only if:

1. There is a rental unit actually and currently available for rent; and
2. The fee charged reasonably represents the actual incremental costs of processing the application, including but not limited to, the cost of checking credit history, criminal history references, and verification of references and other information on the application.

B. An apartment owner, operator, or manager may only process one application at a time until such application is accepted or rejected.

C. An application fee shall be refunded to the prospective tenant within thirty days if the application has not been processed.

D. Apartment owners, operators, and managers shall accept from a potential tenant a verified credit report or a verified criminal history that is dated within thirty days of the

application and shall waive the portion of the application fee which relates to such credit report or criminal history.

15.36.070 Penalty for violation.

A violation of this chapter shall constitute a class B misdemeanor.